

Message Text

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ACTION AF-08

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /055 W

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R 101129Z NOV 76

FM AMEMBASSY ACCRA

TO SECSTATE WASHDC 5209

INFO AMEMBASSY LAGOS

DIA WASHDC

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E.O. 11652: N/A

TAGS: PINT GH

SUBJ: COUP PLOTTERS SENTENCED

REF: ACCRA 6459 (NOTAL)

1. SUMMARY: MILITARY TRIBUNAL NOV 9 FOUND THREE OF FOUR COUP PLOTTERS GUILTY AND SENTENCED TWO OF THEM TO DEATH, WITH THE THIRD RECEIVING A 19-YEAR SENTENCE. THE FOUR DEFENDANTS, TWO ACTIVE DUTY MILITARY MEN AND TWO RETIRED MILITARY OFFICERS, WERE ARRESTED IN LATE 1975 AND BROUGHT TO TRIAL AUGUST 1976. BASED ON PAST EXPERIENCE, IT IS UNLIKELY THAT DEATH SENTENCES WILL BE CARRIED OUT. END SUMMARY.

2. THE FOUR MONTH TRIAL OF CPT J.S. VON BACKUSTEIN, CPT J.S. SOWU, SGT K. AGOHAH, AND WOII C. WORMENOR ON CHARGES OF SUBVERSION, CONSPIRACY TO COMMIT SUBVERSION AND CONCEALMENT OF SUBVERSION ENDED NOV 9 WITH VON BACKUSTEIN AND SOWU BEING FOUND GUILTY OF THE FIRST TWO CHARGES AND SENTENCED TO DEATH BY FIRING SQUAD, AGOHAH BEING FOUND GUILTY OF CONCEALMENT OF SUBVERSION AND SENTENCED TO 19 YEARS IN PRISON, AND WORMENOR BEING CLEARED OF ALL CHARGES. THE DEFENDANTS HAD BEEN ARRESTED IN LATE 1975 AND WERE NOT BROUGHT TO TRIAL UNTIL EARLY AUGUST 1976.

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3. DURING THE TRIAL, WHICH WAS MARKED BY VON BACKUSTEIN'S

AND SOWU'S REFUSAL TO COOPERATE WITH THE COURT OR RECOGNIZE THE LEGALITY OF THE TRIAL, THE PROSECUTION PRODUCED WITNESS WHO STATED THEY HAD BEEN ASKED TO JOIN THE COUP PLOT BY ONE OR ANOTHER OF THE WITNESSES. THE PROSECUTION PORTRAYED SOWU AND VON VACKUSTEIN AS EMBITTERED MEN WHO FORMULATED THE COUP PLOT BECAUSE OF THEIR DISGRUNTLEMENT OVER THE WAY THEY HAD BEEN RETIRED FROM THE ARMY AND TREATED BY THOSE THEY HELPED BRING INTO POWER IN 1972. THE PROSECUTION PORTRAYED AGOHAH AS SOMEONE WHO WAS MORE OR LESS ALONG FOR THE RIDE WHILE WORMENOR ELICITED LITTLE ATTENTION FROM THE PROSECUTION. THE COUP PLOT, AS PRESENTED BY THE PROSECUTION, WAS UNORGANIZED, HAD FEW ADHERENTS AND LITTLE MONEY. IT IS EXTREMELY DOUBTFUL THAT ANYTHING WOULD HAVE COME OF THE COUP HAD PLOTTERS NOT BEEN ARRESTED WHEN THEY WERE.

4. NOTABLE TESTIMONY DURING THE TRIAL INCLUDED WORMENOR'S ASSERTION THAT HIS STATEMENT TO THE POLICE HAD BEEN PRODUCED THROUGH BEATINGS AND TORTURE, AND VON VACKUSTEIN'S STATEMENT THAT HE HAD BEEN CONTACTED BY BRIGADIER KATTAH, A FUGITIVE FROM GHANA WHO FIGURED PROMINENTLY IN A COUP TRIAL WHICH ENDED JULY 1976, AND ASKED TO CONTACT MEN IN SEVERAL ARMY UNITS. WORMENOR'S TESTIMONY WAS SUPPORTED BY SEVERAL WITNESSES AND THE TRIAL WAS ADJOURNED FOR SEVERAL DAYS IN OCTOBER SO WORMENOR COULD BE PLACED UNDER MEDICAL OBSERVATION. THE PROSECUTION DID NOT USE THE KATTAH-A VON BACKUSTEIN CONNECTION DURING THE TRIAL.

5. IN THE PAST THE GOVERNMENT HAS COMMUTED DEATH SENTENCES OF CONVICTED COUP PLOTTERS WHEN NO ONE WAS INJURED IN THE COURSE OF THEIR PLOTTING. AS THIS COUP NEVER MOVED BEYOND THE PLANNING STAGES, IT IS UNLIKELY THE DEATH SENTENCES WILL BE CARRIED OUT. THEY WILL MOST LIKELY BE COMMUTED JAN 13, 1977 ON THE FIFTH ANNIVERSARY OF THE COUP THAT BROUGHT ACHEAMPONG TO POWER.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT OVERTHROW, COURT DECISIONS, PLOTS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ACCRA08274
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760419-0514
From: ACCRA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761164/aaaacdmf.tel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 ACCRA 6459
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUN 2004 by ellisoob>; APPROVED <13 OCT 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COUP PLOTTERS SENTENCED
TAGS: PINT, GH, (VON BACKUSTEIN, J S), (AGOHAN, K), (SOWN, J S), (WORMENOR, W C)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006